

168. Do you think that was when the Maoris first went there?—I could not say I am under the impression that they only went there lately

169. How did you find out that the Natives went there?—I saw them there.

170. What did you go up there for?—I went up there to look at the land. I was in the neighbourhood.

171. You did not go up then to turn the Natives off the land?—No.

172. What year did you go up to turn the Natives off the land?—I never went to turn them off—not that I am aware of. I wrote to them telling them that I should require the land shortly, and asked them to remove off the land. I do not think I ever went up for that purpose.

173. Did you not go up in a trap to turn them off?—I went up there, at their request, to talk about the position of the matter. I met you there. I went up with Mr. J R. Hamlin; but that was a long time subsequently

174. And when you saw me there, what did you do?—I showed you a copy of the deed, and explained to the Natives that the land was mine.

175. Did I not tell you that you had better go back?—I think it is very likely I know the Natives at that time did not admit my claim to the land, but that was after the action had been commenced.

176. Did you not say that you would take all the improvements, the wheat, and crops of the Natives on the land?—I am not certain. We had an argument on the land. The Natives did not attempt to dispute the execution of the deed or the purchase-money

177. Did you not tell the Natives to take their threshing-machines out of the place, and that if they did not you would seize them?—My impression is that I told them to take their machine off the land.

178. What did the Maoris say?—They said that they were advised by their solicitors that the land was not mine.

179. What Maoris said that?—I could not say what Natives. You would remember, Henare Tomoana. Manaena was there. I think that there were about a dozen or fifteen Natives. I think the late Karaitiana Takamoana was there.

180. I want to know the reason you went up. Did you go up in a friendly spirit or not?—I went up to claim my own, and what I believe still belongs to me.

181. Will you not say plainly that you went up to turn the Natives off the land?—I went up to tell the Natives that the land belonged to me. I took up copies of the deeds with me to show them that the land was mine. I also took up a certified copy of the Crown grant from the Registry Office in Napier.

182. Did the Maoris then acknowledge the land to be yours?—No. They said that they had been advised by their solicitor that the land was not mine.

183. That is not a plain answer to my question. I want to know what the Maoris said their lawyers had told them?—They said that their lawyers had told them that the land was not mine.

184. After you went up that time what was done about this land?—The case came on for trial in the Supreme Court. That is my impression.

185. Was that the first time it went to the Court?—I think so.

186. Then, after the decision of that Court had been given, you applied to the Court to eject the Natives?—That was after the second decision. I was told by several Natives that although the decision had been given by the Court, and was in my favour, they would not respect it.

187. It was because the Natives were persistent that the case was tried a second time?—Because I could not get what the Court said I was entitled to get.

188. Can you say what year the first trial of the case was in?—I think it was in 1875. It was in 1874 or 1875.

189. In the first action did the Natives appear at all?—The Natives were plaintiffs. I was defendant. Tomoana was there himself. In the second case, after putting me to £200 or £300 expense, Mr. Travers, their lawyer, threw up his brief, as they had no case. My impression is that no witnesses were examined in the case at all. The counsel for the Natives had consented to judgment.

190. Is that all the land of these Natives that you have got?—It is impossible for me to say for certain. It is my opinion that they have a large quantity of land in the vicinity

191. Is this the only land of these Natives that you have? Is this all the land you have got from the Natives?—No.

192. Were all the other lands fairly got?—I believe so.

193. Are they all settled?—No; they are not all settled. There are a good many in the Supreme Court—cases which have been nominally in existence for the last five years.

194. *Sir G. Grey.*] I would ask, Mr. Sutton, if you had a lease of these lands previously from the Natives?—No; I had not.

195. Had you a mortgage on the land?—I had a mortgage on the whole of the land in the grant, being of the same description as the land in the conveyance.

196. What was the mortgage for?—I could not say I should think it was for some £400 or £500, owing principally by Paora Torotoro.

197. Whom was it owing to?—To myself.

198. Was it owing for money advanced, or goods?—Both; but principally for goods. I advanced him money at times.

199. What was the nature of the goods?—Clothing and groceries.

200. Any spirits?—There was a certain amount of spirits—about 6 or 7 per cent. of the whole transaction.

201. There were spirits?—Yes.

202. Was the mortgage drawn up by your solicitor or their solicitor?—By my solicitor.

203. Was there any agent with the solicitor acting on their behalf?—No, none on their side.

204. Did they both sign it the same day?—My impression is they both signed it the same day I do not know whether they signed it in the same room or not.